

1.1

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

Be it remembered that the regular meeting of the Tupelo City Council was held in Council Chambers at the City Hall Building on Tuesday, January 5, 2016, at 6:00 p.m. with the following in attendance: Council Members Markel Whittington, Lynn Bryan, Travis Beard, Nettie Y. Davis, Buddy Palmer, Mike Bryan and Willie Jennings; Ben Logan, City Attorney; and Glenda Muse, Clerk of the Council.

The invocation was led by Rev. Harold Wilson of the New Dimension Church, followed by the Pledge of Allegiance led by a group of Girl Scouts.

IN THE MATTER OF CALLING THE MEETING TO ORDER

President Palmer called the regular City Council meeting to order at 6:00 p.m.

IN THE MATTER OF CONFIRMATION OR AMENDMENT OF AGENDA AND AGENDA ORDER

Upon a motion by Councilman L. Bryan and a second by Councilman Whittington, the council voted unanimously to confirm the agenda and agenda order as presented.

4. **PROCLAMATIONS, RECOGNITIONS AND REPORTS AGENDA**

IN THE MATTER OF RECOGNITION OF BOY/GIRL SCOUTS

Mayor Shelton introduced a group of Girl Scouts of Troop #23026 of the Heart of the South Girl Scout organization. These girls had earlier led the Pledge of Allegiance.

IN THE MATTER OF RECOGNITION OF CITY EMPLOYEES

No city employees were present for recognition.

IN THE MATTER OF PUBLIC RECOGNITIONS

The following public recognitions were made by Council Members:

... Councilwoman Davis – Announced that she and husband, Calvin Fred Davis, had recently celebrated their 51st wedding anniversary.

Councilwoman Davis – Congratulated Mayor Shelton on the recent item in the Daily Journal regarding the city getting off to a good start for the New Year and, also, his upcoming marriage in May.

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

... Councilwoman Davis – Reminded the citizens of several activities that will be scheduled soon to celebrate the birthday of Dr. Martin Luther King, Jr. and encouraged their participation in as many of these as possible.

IN THE MATTER OF PROCLAMATION IN RECOGNITION OF “NATIONAL HUMAN TRAFFICKING PREVENTION DAY”

Mayor Shelton read and presented a proclamation in recognition of “National Human Trafficking Prevention Day” which is being proclaimed January 11, 2016. Quoting from the proclamation, “...the great City of Tupelo stands and speaks boldly against the actions of this human slavery for all children, women, and men;”... Communities throughout the United States, Canada and other participating countries will be helping raise awareness about the critical need to stop human trafficking throughout the month of January.

IN THE MATTER OF MAYOR’S REPORT

Mayor Shelton’s report covered mainly the appointments of various city committees and commissions. This item is a matter of consideration by the City Council on tonight’s routine agenda. Approximately one-third of the re-appointments and new appointments are African American and roughly one-half appointees are female.

(President Palmer closed the regular meeting and opened the Public Agenda.)

5. PUBLIC AGENDA

5.1 PUBLIC HEARINGS

**5.1.A Demolition of Property Located
at 854 North Gloster Street**

The following individuals spoke concerning this matter:

David Houston, Attorney of Nashville, Tennessee, representing Coamerica Bank, first lien holder on this property.

Former Mayor Jack Reed, Jr., spoke in support of demolition of this deteriorating property.

Joshua Harris, a prospective buyer, spoke primarily in regard to the work he had already done on the buildings as well as his dealings with the Coamerica Bank.

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

Phil McKay, owner of nearby properties, spoke for the surrounding area businesses in support of demolition of the blighted buildings.

(President Palmer then closed the Public Agenda and the council returned to regular session.)

6. **ACTION AGENDA – (NO ITEMS)**

7. **ROUTINE AGENDA**

IN THE MATTER OF REVIEW/APPROVE MINUTES OF REGULAR CITY COUNCIL MEETING AND MINUTES OF SPECIAL CALLED COUNCIL MEETING

Upon a motion by Councilman L. Bryan, seconded by Councilman Whittington, the council voted unanimously to approve the minutes of the regular City Council meeting of Tuesday, December 15, 2015, and the minutes of a special called meeting of Tuesday, December 22, 2015.

IN THE MATTER OF REVIEW/PAY BILLS

Upon a motion by Councilman M. Bryan and a second by Councilman Jennings, the council voted unanimously to approve payment of the following checks, bills having been reviewed at 4:30 p.m. by Council Members Beard, Davis, M. Bryan and Jennings:

Check Nos. 321723 through 322074 (Pool Cash Fund)

Electronic transfers as shown on the face of the docket.

Invoices as shown on the face of the docket.

Requests made by AFLAC to reimburse employees under Flex-One Plan as shown on the face of the docket.

IN THE MATTER OF REVIEW/APPROVE APPOINTMENTS AND RE-APPOINTMENTS TO CITY COMMITTEES AND COMMISSIONS AS RECOMMENDED BY MAYOR SHELTON

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously to approve the following appointments and re-appointments to various city committees and commissions, all having been recommended to the Council by Mayor Shelton:

- (1) Re-appointments to BancorpSouth Arena: Will Beasley; Al Wallace
- (2) Appointment to Tupelo Convention & Visitors Bureau: Dr. Marcus L. Britton

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

(3)Appointments to Quality of Life Committee: Amanda Hayden; Jasmine Jennings; Mary Morgan Brown; Rachel Ethridge; Meredith Martin

(4)Appointment to Tupelo Major Thoroughfare Program Committee:
Brent Waldrop

(5)Re-appointment to Tupelo Redevelopment Agency: Cheryl Rainey

(6)Re-appointments to Tupelo Planning Committee: Bill Smith;
Doris Jean Pittman

Bio's on above are attached to these minutes as **APPENDIX A.**

IN THE MATTER OF REVIEW/APPROVE CLOSING OF 2007
CONSTRUCTION ACCOUNTS

CFO Kim Hanna had submitted a request to the City Council for approval to close two bank accounts at Trustmark Bank. All the funds have been depleted from each account. The accounts are as follows:

2007 Construction Fund account #890-017-7469

Fairgrounds Donation account #890-017-7444

Upon a motion by Councilman M. Bryan and a second by Councilman Jennings, the council voted unanimously to approve this request and allow the accounts to be closed.

IN THE MATTER OF REVIEW/APPROVE RESOLUTION OF
AUTHORIZATION TO SUBMIT APPLICATION FOR 2016
TRANSPORTATION ALTERNATIVES GRANT PROGRAM

Terri Blissard, Grant Administrator, had submitted a request to the Mayor and City Council for permission to move forward with a grant opportunity offered through Mississippi Department of Transportation (MDOT). The Transportation Alternatives Program (TAP) is currently accepting applications, and the City has a long standing project that meets (TAP) eligibility criteria and priorities according to Ms. Blissard's memorandum dated December 28, 2015. The project has previously been submitted for these funds but the City already had other large MDOT-funded projects planned at the time and the applications were not considered.

Upon a motion by Councilman Beard, seconded by Councilman Jennings, the council voted unanimously to approve a Resolution of Authorization to Submit Application for 2016 Transportation Alternatives Grant Program for the eligible project. The match for this program is 20%. A copy of the executed Resolution is attached hereto and incorporated herein as **APPENDIX B.**

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

IN THE MATTER OF REVIEW/AWARD BID FOR CITY OF TUPELO'S LEAD DEPOSITORY BANK

Councilman L. Bryan moved to award bank depository bid to Trustmark Bank and authorize the Mayor and City Clerk to execute any and all documents to enter into agreements with the bank subject to City Council ratification. The motion was seconded by Councilman M. Bryan and unanimously approved by a vote of the council. Council ratification of these documents will be scheduled at a later date.

IN THE MATTER OF REVIEW/ACCEPT MINUTES OF TUPELO MAJOR THOROUGHFARE PROGRAM MEETING

Upon a motion by Councilwoman Davis, seconded by Councilman Beard, the council voted unanimously to accept the minutes of the Tupelo Major Thoroughfare Program meeting of November 9, 2015, a copy being attached to these minutes and made a part hereof as **APPENDIX C.**

IN THE MATTER OF REVIEW/ACCEPT MINUTES OF TUPELO PLANNING COMMITTEE MEETING

Councilman Jennings moved to accept the minutes of the Tupelo Planning Committee meeting of December 7, 2015; the motion was seconded by Councilman M. Bryan and unanimously approved by a vote of the council. A copy of these minutes is attached hereto as **APPENDIX D.**

IN THE MATTER OF REVIEW/APPROVE DEMOLITION OF PROPERTY LOCATED AT 854 NORTH GLOSTER STREET

A public hearing on this issue had been held earlier in this City Council meeting. Councilwoman Davis moved to adjudicate the property located at 854 North Gloster in its current condition as a menace to the public health, safety and welfare of the community. The motion was seconded by Councilman Jennings and a discussion followed.

City Attorney Logan advised the council that Comerica Bank, first lien holder on said property, needs to secure the property, and he suggested that this item be tabled until the next city council meeting at which time the matter can be brought back for consideration to see that action has been done. At that time, all parties can work out a plan as to demolition.

Councilman Whittington inquired regarding Comerica's knowledge of the condition of the property, and City Attorney Logan explained that if the City Council

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

voted tonight on the original motion, it would also include an order to Coamerica Bank to demolish the property and give them a reasonable time to do that. He also explained the actions previously taken by the Department of Development Services.

Councilman Whittington stated he was not in favor of tabling this but thought the property should be torn down. Councilwoman Davis expressed her concern about the condition of the buildings and the blight it was creating not only in the immediate area but the effect it was having in adjacent residential areas. She stated she wanted it demolished as soon as possible.

Attorney Logan replied that the issue should be discussed further in an executive session.

President Palmer questioned the status of the original motion made by Councilwoman Davis and City Attorney Logan advised a procedural motion such as tabling, could be made after an executive session when the City Council returned to regular session.

Councilwoman Davis then moved to place Item 7.9 at the end of the agenda after Executive Session; the motion was seconded by Councilman Whittington and unanimously approved by a vote of the council.

IN THE MATTER OF REVIEW/APPROVE CHANGE ORDER NO. 4 AND
FINAL SUMMARY FOR TUPELO SRF FY13 SEWER SYSTEM
IMPROVEMENTS – AREA 1, BEECH SPRINGS

Upon a motion by Councilman Beard, seconded by Councilman M. Bryan, the council voted unanimously to approve the following Change Order No. 4 and Final Summary for:

Tupelo SRF FY13 Sewer System Improvements – Area 1, Beech Springs – Change Order No. 4 & Final Summary. This change order shows a deduction of \$34,378.45 to adjust for final quantities. The revised/final contract amount is \$1,396,760.96.

Johnny Timmons, Manager, Tupelo Water and Light Department had submitted this change order to the City Council stating he had reviewed the same and found it to be correct. A copy is attached to these minutes as **APPENDIX E.**

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

**IN THE MATTER OF REVIEW/AWARD/REJECT BIDS FOR TUPELO WATER
AND LIGHT DEPARTMENT**

Johnny Timmons, Manager, Tupelo Water and Light Department, had submitted the following bids for the council's consideration and recommended that both be awarded:

Upon a motion by Councilman Whittington, seconded by Councilman M. Bryan, the council voted unanimously to award the following bid:

Bid No. 1393WL – Hwy.45 Sewer Phase 2 to the low qualified bid submitted by Argo Construction Corporation in the amount of \$303,609.50 as recommended by Cook Coggin Engineers.

Upon a motion by Councilman Jennings, seconded by Councilman M. Bryan, the council voted unanimously to award the following bid:

Bid 1394WL – SW Tupelo 161:46:15 kW Substation Power Transformer Replacement and Testing Project to the low qualified bid submitted by Service Electric Company in the amount of \$139,055.00.

Copies of the above bid packages are attached to these minutes and incorporated herein as **APPENDIX F.**

8. STUDY AGENDA

(NO ITEMS)

IN THE MATTER OF EXECUTIVE SESSION

See Agenda Item #7.9 that had been moved to this section of the agenda. Upon a motion by Councilman M. Bryan, seconded by Councilwoman Davis, the council voted unanimously to close the regular meeting to determine the need for an executive session.

Upon a motion by Councilman Jennings, seconded by Councilman L. Bryan, the council voted unanimously to go into executive to discuss "Potential Litigation" upon advice of City Attorney.

MUNICIPAL MINUTES, CITY OF TUPELO
STATE OF MISSISSIPPI
JANUARY 5, 2016

Upon a motion by Councilman Jennings, seconded by Councilman Whittington, the council voted unanimously to come out of executive session and return to the regular meeting.

IN THE MATTER OF EXECUTIVE SESSION DECISION

Councilman L. Bryan offered a motion to table the matter regarding property located at 854 North Gloster Street until January 19, 2016, at 6:00 p.m. or as soon thereafter as can be heard. The motion was seconded by Councilman Whittington and unanimously approved by a vote of the council.

IN THE MATTER OF ADJOURNMENT

There being no further business to come before the City Council, upon a motion by Councilman Whittington, seconded by Councilman M. Bryan, the council voted unanimously to adjourn the regular meeting at 7:00 p.m.

PRESIDENT

ATTEST:

CLERK OF THE COUNCIL

MAYOR